REMARKS

Applicant thanks the Patent Office for the careful attention accorded this Application and respectfully request reconsideration in view of the Amendment above and remarks set forth below.

In response to the Office Action mailed May 30, 2007, Applicant has canceled Claims 439-477 without prejudice or disclaimer, and has added rewritten Claims 478-489 for further prosecution on the merits. Applicant reserves the right to pursue protection on the canceled claims in one or more Continuation Applications.

Applicant has also amended the Title of Invention and Abstract of Disclosure to more accurately reflect the present invention defined by the rewritten Claims.

As rewritten, sole independent Claim 478 includes many of the limitations of canceled Claims 439 and 447 and features from Claim 453 relating to serving a library of MMVK tags to product management team members over the WWW. As rewritten, Applicant believes that the Claims 478-489 clearly point out and distinctively claim the present invention over the prior art references of record, and are now in condition for allowance.

As recited in rewritten Claim 478, the Web-based EC-enabled shopping network ("EC-enabled shopping network") of the claimed invention allows members of a consumer product management team to communicate directly with consumers shopping at EC-enabled Websites along the WWW.

As recited in rewritten Claim 478, the EC-enabled shopping network includes a plurality of e-commerce enabled information servers supporting a plurality of EC-enabled Websites, and a first Web-based subsystem allowing members of the product management team for a registered consumer product, as well as authorized parties, to create and manage a consumer product information (CPI) link structure for each registered consumer product.

As claimed, each CPI link structure comprises the following items:

(i) a Unique Product Number (UPN) assigned to the consumer product; and

(ii) a set of URLs for a plurality of consumer product information (CPI) resources stored on Web-based information servers operably connected to the WWW, and wherein the CPI resources can be selected by one or more members of the product management team and authorized parties to program the set of CPI resources for the consumer product.

As recited in rewritten Claim 478, the EC-enabled shopping network includes a second Web-based subsystem allowing product management team members and authorized parties, associated with a registered consumer product, to create and deploy one or more Web-based Multi-Mode Virtual Kiosks (MMVKs) for the consumer product so that each said deployed MMVK can be installed in and launched from one or more HTML-encoded pages located in the EC-enabled Websites, and accessible by consumers using a Web browser.

Each MMVK on the network is implemented using (i) a computer-executable server-side component stored on a first Internet-enabled information server operably connected to the WWW and including code specifying the UPN assigned to the consumer product, and (ii) a MMVK tag that references the computer-executable server-side component and is embeddable within at least one of the HTML-encoded pages located in the EC-enabled Websites.

As recited in Claim 478, when generated by the first Internet-enabled information server, and served to the Web browser of a consumer, each MMVK displays a graphical user interface (GUI) that is characterized by a plurality of independently programmable display modes selected from the group consisting of (i) an advertising display mode for displaying one or more advertising spots, (ii) a promotional display mode for displaying one or more promotional spots, and (iii) a consumer product information (CPI) menu display mode for displaying a set of CPI resources arranged for selection by the consumer using the Web browser.

As recited in rewritten Claim 478, the EC-enabled shopping network includes a plurality of Web-based information servers operably connected to the WWW, storing and configured to serve one or more advertising spots, one or more promotional spots, and the set of CPI resources

to the Web browser, for display to the consumer through the plurality of independently programmable display modes of each MMVK.

As recited in rewritten Claim 478, the EC-enabled shopping network includes a second Internet-enabled information server storing and configured to serve a library of MMVK tags on the WWW, for each registered consumer product, for which at least one MMVK has been created and deployed and is ready for installation on the HTML-encoded pages of the EC-enabled Websites.

As claimed, each MMVK tag in the library is accessible by product management team members and authorized parties, and downloadable from the second Internet-enabled information server for installation in at least one HTML-encoded page located in at least one EC-enabled Website, by embedding the downloaded MMVK tag in at least one HTML-encoded page located in at least one EC-enabled Website.

As recited in rewritten Claim 478, the set of URLs included the CPI link structure for a registered consumer product, specify the location of corresponding CPI resources stored on Web-based information servers located on the WWW. Also, a plurality of said CPI resources are selected the product management team members and authorized parties to program one or more of the advertising, promotional and CPI menu display modes of the MMVK created and deployed for the registered consumer product associated with the CPI link structure.

As recited in rewritten Claim 478, the EC-enabled shopping network also includes a third Web-based subsystem allowing the product management team members and authorized parties to independently program the advertising display mode of each MMVK with one or more advertising spots, and the promotional display mode of each MMVK with one or more promotional spots.

As claimed, when at least one CPI link structure has been created for a registered consumer product using the first Web-based subsystem, then the second Web-based subsystem allows the product management team members and authorized parties to create and deploy one

or more MMVKs for registered consumer products, and also to access the library and download MMVK tags from the second Internet-enabled information server for installation in at least one HTML-encoded page of at least one of the EC-enabled Websites.

As claimed, the first Web-based subsystem allows product management team members and authorized parties to independently program the CPI menu display mode of each installed MMVK.

The third Web-based subsystem allows the product management team members and authorized parties to independently program the advertising and promotional display modes of each installed MMVK.

Upon the Web-browser of the consumer encountering one installed MMVK tag along the HTML-encoded page of one EC-enabled Website, the computer-executable server-side component corresponding to the installed MMVK tag is automatically executed and the corresponding MMVK is generated by the first Internet-enabled information server and served to the Web browser, for display by the Web browser and review by the consumer at the EC-enabled Website.

Dependent Claims 479-489 are directed to subordinate features of the present invention.

Applicant has carefully reviewed the prior art references, including US Patent Nos. US Patent No. 6,591,247 to Stern and US Patent No. 6,542,933 to Durst et al, and firmly believes, that, when taken alone or in combination with each other, the prior art as a whole fails to disclose, teach or suggest the present invention defined by the rewritten Claims 478-489.

US Patent No. 6,591,247 to Stern discloses an IP based digital content distribution network, wherein batteries of digital content (e.g. product information and advertisements) are combined together in a single distribution file (e.g. .big format) at a centralized database server (i.e. NMC database 252c, Database files 352 and Builder 350) and then delivered to remote sites (e.g. physical retail kiosks, "wall of eyes" television sets etc) in physical retail stores, in either an

interactive or non-interactive manner, on a per product basis. As disclosed, the interactive delivery method may be initiated by the consumer scanning a UPC code on a product of interest, in a brick and mortar store.

In contrast, Applicant's EC-enabled shopping network defined by rewritten Claim 478 delivers consumer product content (e.g. ads, promos and CPI resources) to consumers using server-side driven Multi-Mode Virtual Kiosks (MMVKs) that:

(i) are launched from MMVK tags embedded within HTML-encoded pages of EC-enabled Websites, and

(ii) have a GUI characterized by a plurality of independently programmable display modes that display content served up from Web-based information servers located anywhere on the WWW---and not from "a centralized database server" as required by Stern's content distribution network (which combines digital content together in a single distribution file, e.g. .big format, at a centralized database server).

US Patent No. 6,542,933 to Durst et al discloses a system for delivering consumer product information on the Internet to a user's Web browser by providing the consumer product's UPC number to a UPC/URL database server constructed in accordance with US Patent No. 5,978,773 to Hudetz et al. And while Durst et al does disclose using a CGI program or a Java servlet to implement its information server 50, Applicant respectfully notes that their use of a Java servlet in the information server 50 is for the purpose of implementing a database calling process, wherein the UPC number or other code (acquired by scanning a consumer product or other object) is received from a host computer (with a scanner) and used to access the UPC/URL database.

Unlike the present invention defined by Claim 478, Durst et al's Java servlet clearly fails to provide a server-side component driven MMVK that displays a GUI characterized by a plurality of independently programmable display modes selected from the group consisting of (i) an advertising display mode for displaying one or more advertising spots, (ii) a promotional display mode for displaying one or more promotional spots, and (iii) a consumer product

information (CPI) menu display mode for displaying a set of CPI resources arranged for selection by the consumer using a Web browser, as claimed.

Moreover, Stern does not disclose, hint or suggest providing a server-side component driven MMVK that displays a GUI that is characterized by a plurality of independently programmable display modes, which are programmable by product management team members and authorized parties using Web-based subsystems, as recited by the rewritten Claim 478.

Clearly, Stern's content delivery network combines digital content together in a single distribution file (e.g. .big format) at a centralized database server, for delivery to remote sites in physical retail stores, and using this distribution method, there is no need or motivation to provide anything like Applicant's server-side component driven MMVK, which allows product management team members (who typically perform different marketing communication functions) to program different display modes independently from all other display modes.

In marked contrast, Applicant's EC-enabled shopping network does not combine digital content into a single distribution file, but rather allows product management team members to program each display mode of each deployed MMVK independently from all other display modes, using URL links (managed by the CPI link structure) which are used by the consumer's Web browser to pull CPI resource content from Web-based information servers located wherever they may be located on the WWW. In short, Applicant's EC-enabled shopping network as claimed, and Stern's network as disclosed, operate on radically different principles of operation.

Also, whereas the Durst et al system requires the optical scanning of UPC numbers or other code symbol structures for UPC data entry to the UPC/URL database server, Applicant's EC-enabled shopping network has obviated this requirement altogether by the computer-executable server-side component, underlying each MMVK, including code specifying the UPN assigned to the registered consumer product, as recited in rewritten Claim 478.

There are many other significant differences between (i) the EC-enabled shopping network of the present invention defined by rewritten Claim 478, and (ii) the Stern network and Durst et al system disclosed in the prior art references.

For example, neither Stern or Durst disclose, teach or suggest providing an EC-enabled shopping network as defined by rewritten Claim 478, wherein a first Web-based subsystem which allows members of a product management team and authorized parties, to create and manage a consumer product information (CPI) link structure for each registered consumer product, and a second Web-based subsystem which allows product management team members to create and deploy MMVKs for the consumer product so that each deployed MMVK can be installed in and launched from one or more HTML-encoded pages located in EC-enabled Websites, and accessible by consumers using a Web browser.

Neither Stern or Durst disclose, teach or suggest providing an EC-enabled shopping network as defined by rewritten Claim 478, wherein each MMVK on the network is implemented using (i) a computer-executable server-side component stored on a first Internet-enabled information server operably connected to the WWW and including code specifying the UPN assigned to the consumer product, and (ii) a MMVK tag that references said computer-executable server-side component and is embeddable within at least one of HTML-encoded pages located in EC-enabled Websites, and wherein the network further includes a second Internet-enabled information server storing and configured to serve a catalog of MMVK tags on the WWW, for each registered consumer product, for which at least one MMVK has been created and deployed and is ready for installation on the HTML-encoded pages of EC-enabled Websites.

Neither Stern or Durst disclose, teach or suggest providing an EC-enabled shopping network as defined by rewritten Claim 478, wherein each MMVK tag in the catalog is accessible by the product management team members and authorized parties, and downloadable from the second Internet-enabled information server for installation in at least one HTML-encoded page located in at least one EC-enabled Website, by embedding the downloaded MMVK tag in at least one HTML-encoded page located in at least one EC-enabled Website.

Neither Stern or Durst disclose, teach or suggest providing an EC-enabled shopping network as defined by rewritten Claim 478, wherein the set of URLs included a CPI link structure for a registered consumer product, specify the location of corresponding CPI resources stored on Web-based information servers located on the WWW, and wherein a plurality of said CPI resources are selected by the product management team members and authorized parties to program one or more of the advertising, promotional and CPI menu display modes of the MMVK created and deployed for the registered consumer product associated with the CPI link structure.

Furthermore, neither Stern or Durst disclose, teach or suggest providing an EC-enabled shopping network as defined by rewritten Claim 478, wherein when at least one CPI link structure has been created for a registered consumer product using the first Web-based subsystem, then the second Web-based subsystem allows the product management team members and authorized parties to create and deploy one or more MMVKs for registered consumer products, and also to access the catalog and download MMVK tags from the second Internet-enabled information server for installation in at least one HTML-encoded page of at least one of the EC-enabled Websites.

Even when combining the disclosures of Stern and Durst, and other prior art references made of record, Applicant firmly believes that the EC-enabled shopping network of the claimed invention is clearly not provided.

In view therefore, of the Amendment and Remarks set forth above, Applicant firmly believes that the present invention defined by rewritten Claims 478-489 is neither anticipated by, nor rendered obvious in view of the prior art of record, and that the present application is now in condition for allowance.

The Commissioner is hereby authorized to charge any fee deficiencies to Deposit Account 16-1340.

Respectfully submitted,
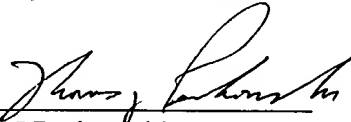
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